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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/819,669 03/17/97 BOON

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024972

HM12/0821

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NEW YORK NY 10103-3198

EXAMINER

GAMBEL, F

ART UNIT

PAPER NUMBER

1644

DATE MAILED:

08/21/01

39

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

08/819669

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
644	39

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

In re Application of  
BOON-FALLEUR ET AL.

Serial No. 08/819,699

Filed: March 17, 1997

For: TUMOR REJECTION, ANTIGEN PRECURSORS, TUMOR REJECTION ANTIGENS AND USES  
THEREOF

SUSPENSION OF PROSECUTION

All claims are allowable. However due to a potential interference, ex parte prosecution is SUSPENDED pending a determination as to whether an interference proceeding is appropriate.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel whose telephone number is (703) 308-3997. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

Papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center telephone number is (703) 305-3014.

*Phillip Gambel*

Phillip Gambel, PhD.  
Primary Examiner  
Technology Center 1600  
August 20, 2001

### Comments

1. Applicant's amendment, 6/12/01 (Paper No. 38), has been entered.  
Claims 173, 174, 176, 179, 181 and 182 have been canceled.  
Claims 1-172, 175, 177, 178 and 180 have been canceled previously.

Claim 183-191 have been added.

2. With respect to the rejections of record, applicant asserts that new claim 182 is an amendment versions of allowed claim 176 and asserts that all other claims depend therefrom are presumably allowable.

3. Again applicant's comments on previous interviews and communications are acknowledged.

Again, it appears that applicant's concerns and the current examiner's comments on said concerns are the same of record.

Again, the current examiner cannot comment on or determine whether the Interview Summary held on 12/23/98 was accurate or not; given that the current examiner was not present at that Interview.

Again, it appears that prosecution has taken into account and has proceeded beyond the specific points raised and requested on pages 2-3 of applicant's amendment, filed 2/5/99 (Paper No. 19).

Rather than applicant's focus on concerns and issues from 1999; it appeared that applicant's concerns were addressed at this subsequent Interview and that all agreed to further prosecute the instant application and claims.

Again, the examiner apologizes for any misunderstanding or inconvenience to applicant.

Again, as pointed out previously, this Office Action addresses the current claimed invention and takes into account the prosecution history set forth in the instant file application

4. Again, while it is acknowledged that both "BALB/C" and "BALB/c" are used in the literature to describe this mouse strain; applicant is reminded that "BALB/c" is the proper designation of this mouse strain (see pages 27-28).

With respect to applicant's lack of understanding; applicant is invited to amend the specification to disclose the proper designation of this mouse strain in the instant application.

The application is required to be reviewed and all spelling, TRADEMARKS, and like errors corrected

5. Applicant is reminded of the following.

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c).

The reference to USSN 07/764,364 in the oath appears in error, as this application issued as U.S. Patent No. 5,327,252 directed to a print apparatus.

Application Number 764,364 has the last "4" crossed out and "PCT/US92/04354 / 22 May 1992" has been crossed out.

It is noted that applicant's amendments, filed 6/30/00 (Paper No. 29) and 6/12/01 (Paper No. 38) indicate that applicant will address the defective oath upon allowance.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel whose telephone number is (703) 308-3997. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

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Phillip Gambel, PhD.  
Primary Examiner  
Technology Center 1600  
August 20, 2001